



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

INSPECTION REPORT

Michael O. Leavitt
Governor

Lowell P. Braxton
Division Director

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Partial: XXX Complete: Exploration:
Inspection Date & Time: 6/9/99 / 8:00a.m.-2:00p.m.
Date of Last Inspection: 5/3,19/99

Mine Name: Horizon Mine County: Carbon Permit Number: ACT/007/020 ²⁵
Permittee and/or Operator's Name: Horizon Mining LLC
Business Address: PO Box 599, Helper Utah 84526
Type of Mining Activity: Underground XXX Surface Prep. Plant Other
Company Official(s): Vicky Miller, Larry Jones
State Officials(s): Bill Malencik Federal Official(s): None
Weather Conditions: Partly Cloudy
Existing Acreage: Permitted- 317 Disturbed- 9 Regraded- Seeded- Bonded- 9
Increased/Decreased: Permitted- Disturbed- Regraded- Seeded- Bonded-
Status: Exploration/ XXX Active- Inactive- Temporary Cessation- Bond Forfeiture
Reclamation (Phase I/ Phase II/ Final Bond Release/ Liability Year)

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

Instructions

- Substantiate the elements on this inspection by checking the appropriate performance standard.
 - For complete inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check N/A.
 - For partial inspections check only the elements evaluated.
- Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
- Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
- Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	EVALUATED	N/A	COMMENTS	NOV/ENF
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. SIGNS AND MARKERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4th Quarter-April, May, June)_____ (date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. OTHER: ANNUAL REPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

INSPECTION REPORT
(Continuation sheet)

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PERMIT NUMBER: ACT/007/020

DATE OF INSPECTION: 6/9/99

(Comments are Numbered to Correspond with Topics Listed Above)

GENERAL COMMENTS

A complete field inspection was conducted on June 9, 1999, of the Horizon Mine. The permittee was represented by Vicky Miller, Consultant, Earthfax, and Larry Jones, Mine Manager.

The permittee reviewed the results of a mid-term review. All deficiencies must be corrected as directed by Mr. Haddock by June 28, 1999.

Compliance/Division Order

-NOV 99-26-1-1 has been vacated by the Director. It was issued for not complying with the Director's Division Order dated February 25, 1999.

-CO 99-26-1-1 has been modified and terminated for mining coal without a DOGM permit on a portion of the 1288 acre federal lease. The area of unauthorized mining is approximately 1300' x 300'.

-NOV 99-26-2-1 was issued for not performing mine water monitoring as required by the MRP. Follow-up action is due on 6/18/99.

1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE

UPDES Application

UPDES permit has expired. A renewal application was filed in December 1997. The renewal application included the sediment pond discharge outfall and amine water proposed discharge outfall directly into the Portal Canyon.

The application for a renewed pond discharge permit and a new mine water discharge application was submitted by Horizon to Deq on 12/27/97. The application got lost at DEQ. It was discussed when the undersigned contacted DEQ, DEQ requested the applicant to re-submit the application. Discussed with Larry Jones, Mine Manager, and Vicky Miller, Consultant, the need to secure both a pond and a separate mine water discharge permit.

BLM Federal Coal Lease

BLM has awarded Horizon a federal lease on 1288 acres. A completed application was submitted and approved by the Division on 6/4/99.

4A. HYDROLOGIC BALANCE: DIVERSIONS

The two main diversions, Jewkes Creek and Portal Canyon, plus internal smaller diversion have been designed and approved by the Division.

Two diversions were flowing during the inspection, I.E., Jewkes Creek, undisturbed diversion and the disturbed diversion containing mine water that discharges into the sediment pond.

4B. HYDROLOGIC BALANCE: SEDIMENT PONDS

The pond was discharging.

4C. HYDROLOGIC BALANCE: OTHER SEDIMENT CONTROL MEASURES

The mid-term Division team reported in their formal report that the straw bales providing sediment control needs to be maintained. These controls lie below the sediment pond. The straw bales were not replaced and this was called to the permittee's attention. The due date is 6/28/99.

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PERMIT NUMBER: ACT/007/020

DATE OF INSPECTION: 5/3,19/99

(Comments are Numbered to Correspond with Topics Listed Above)

5. EXPLOSIVES

Powder and cap magazines are stored on site as approved by amendments dated March 12, 1999. No blasting has taken place during the reporting period. The MRP, as approved by Mr. Helfrich, is correct, as validated on the instant inspection. The original permit was deficient.

7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

The matter of coal mine waste has been settled with this understanding that what was referred to as coal waste is high ash coal. This was documented in the board chairman's decision.

On page 11 of the interlocutory order, Chairman Lauriski stated, "DOGM conceded that the pile in question was called the coal waste pile, is a high ash coal pile." Also, he granted temporary relief on Division Order 1, 2, and 4; further, upheld 3a and 3b with exception of identifying the coal waste pile as a waste pile.

Coal waste, as originally approved by the Division, provides for temporary storage on the mine pad. Permanent or final disposition was not authorized in the original MRP. An amendment was approved October 99 authorizing permanent storage of existing coal waste for utilization at the Sunnyside Cogeneration permit area and thence to the adjoining power plant..

Paced the pile and its dimensions are substantially the same as previously reported.

8. NONCOAL WASTE

The dumpster was nearly full. Some non-hazardous noncoal waste was observed.

20. AIR QUALITY PERMIT

The permittee's air quality order issued by DEQ authorizes 2000 tons of coal to be stored on the surface. The current storage of coal exceeds the DEQ permitted limits. This is based on Wayne Western's measurements as documented in the file. The air quality order needs to be updated before mining to cover equipment and amount of coal that will be mined and stored on the mine site.

22. OTHER - ANNUAL REPORT

Annual report was submitted on 3/31/99. It was reviewed by the undersigned and did not include a mine sequence map. A mine map was subsequently submitted and is now incorporated into the annual report.

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas, and Mining.

Copy of this Report:

Mailed to: Larry Jones/Vicky Miller (Horizon/Earthfax) Henry Austin (OSM)
Given to: Joe Helfrich (DOGM) Filed to: Price Field Office
Date: June 11, 1999

Inspector's Signature:  #26
Wm. J. Malencik